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March 3, 2016

David Birkholz, Environmental Review Manager
Minnesota Department of Commerce
85 7th Place East, Suite 500
St. Paul MN 55101

Re: In the Matter of the Application of Minnkota Power Cooperative, Inc. for a Route Permit for the Clearbrook-Clearbrook West Transmission Line
Public Utilities Commission (PUC) Docket Number: ET-6/TL-14-665

Dear Mr. Birkholz:

The Minnesota Department of Natural Resources (DNR) has reviewed the Application for a Route Permit for the Clearbrook – Clearbrook West Transmission Line Project. Please consider the following comments regarding the application and regarding scoping for the Environmental Assessment (EA).

Topics for EA Inclusion

The following topics should be included in the EA in addition to topics covered within the Site Permit Application.

The Clearbrook – Clearbrook West Transmission Project purpose is associated with the Preferred Route Alternative for the proposed Sandpiper Pipeline Project. The Sandpiper Pipeline Project is currently under review, with a planned upcoming environmental review scoping process for alternative routes. The location and purpose of the Clearbrook – Clearbrook West Transmission Project is dependent on the outcome of the upcoming alternatives analysis for the Sandpiper Project. Review of these two, and any other dependent project proposals, should include a cumulative impacts analysis reflecting these related projects and associated impacts. The timeline and date of decisions for these projects, and any other closely related projects, should reflect these dependencies.

The EA should include a discussion of using seasonal (winter) construction and maintenance activities as a mitigation measure for impacts to wetland, forest, and rare species such as the Northern Long-eared Bat.

The EA should discuss methods to reduce risks to birds, including whether bird diverters are proposed. Are there locations where the applicant would propose bird diverters?

The EA should discuss proposed maintenance methods. The wire zone/border zone method should be discussed as a mitigation measure for right-of-way (ROW) forest impacts and habitat encroachment. The wire zone/border zone concept allows for different types and heights of vegetation in the ROW. The concept differentiates between the wire zone directly under the conductors and the remaining border zone within the ROW and generally allows for different, yet compatible, vegetation types in these separate zones. Types and heights of site vegetation and topography should be discussed as part of this analysis.

Wire Zone: Area directly underneath the conductors, including potential conductor sway.
Vegetation in this zone consists of low-growing forbs and grasses.

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Border Zone: Area that begins at the outside edge of the wire zone and extends to the edge of the easement or other right of way. This zone may contain additional low-growing woody plants and trees.

Natural Heritage Information System Comments

The natural heritage review included in Item 6.6 is out of date as new records have been added to the Natural Heritage Information System (NHIS) since July 2014. In particular, a calcareous fen with state-listed threatened plants has been documented along the shore of Steenerson Lake and Deep Lake (both public waters basins). This area should be clearly marked on project plans as an avoidance area and indirect impacts from surface runoff or the spread of invasive species should be considered and minimized during project construction and operation. Likewise, any stormwater plan that may affect these lakes should address potential impacts to state-protected species. Minnesota's endangered species law (*Minnesota Statutes*, section 84.0895) and associated rules (*Minnesota Rules*, part 6212.1800 to 6212.2300 and 6134) prohibit the taking of threatened or endangered species without a permit. If there will be any proposed disturbance to the lakes or their shores, please contact Rich Baker, Endangered Species Coordinator, at 651-259-5073 to discuss the takings permit process.

A calcareous fen is a rare and distinctive peat-accumulating wetland that is legally protected in Minnesota (please see the attached fact sheet). Calcareous fens are designated as "outstanding resource value waters" in water quality regulations administered by the MPCA (*Minnesota Rules*, part 7050.0180) and they are given special protection through *Minnesota Rules*, parts 8420.1010 to 8420.1060. The Wetlands Conservation Act, authorized by *Minnesota Statutes*, section 103G.223, states that calcareous fens may not be filled, drained, or otherwise degraded, wholly or partially, by any activity, except as provided for in a management plan approved by the commissioner of the Department of Natural Resources. Many of the unique characteristics of calcareous fens result from the upwelling of groundwater through calcareous substrates. Because of this dependence on groundwater hydrology, calcareous fens can be affected by nearby activities or even those several miles away. The DNR would have concerns regarding any activities that might affect groundwater flows, including groundwater pumping or discharge. If you have any questions regarding calcareous fen regulations, please contact Doug Norris, Wetlands Program Coordinator, at 651-259-5125.

License to Cross Public Lands and Waters

A License to Cross Public Lands and Waters will be required for crossing public waters along the proposed project route. The applicant should contact Cheryl Kelley-Dobie with the DNR Division of Lands and Minerals at (218) 308-2627 regarding the requirements of the License to Cross Public Lands and Waters.

Thank you for the opportunity to review the Clearbrook - Clearbrook West Transmission Line Project. Please contact me with any questions.

Sincerely,



Jamie Schrenzel
Principal Planner
Environmental Review Unit
(651) 259-5115

Enclosures: 1

cc: John T. Graves, Minnkota Power Cooperative, Inc.
Tricia DeBleeckere, Minnesota Public Utilities Commission